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[1](#)C. 08 THE HAGUE 0898

Classified By: Janet E. Beik for reasons 1.4 (B) and (D)

This is CWC-05-09.

SUMMARY

[1](#)1. (SBU) As delegations prepared for the upcoming marathon of meetings -- the Industry Cluster February 10, the experts' meeting on the Scientific Advisory Board report February 11-13, and the Executive Council (EC-55) February 17-20 -- conversations in at OPCW swirled around the search for a new Director-General and expectations for Iran's next moves after the Conference of the States Parties (CSP). The Western European and Others Group (WEOG) met February 3, and in expanded form (WEOG-plus) with like-minded states on February 10. The Chinese Ambassador hosted delegations from the Permanent Five members of the UN Security Council on February 6, with extended discussion during both a meeting and lunch.

[1](#)2. (SBU) Delreps met with the Mexican Ambassador, the newly chosen GRULAC nominee for the next EC Chair, to discuss the upcoming EC. Delreps also called on the Costa Rican Ambassador, current Vice Chair for Budget and Administrative issues, to discuss reform of the Advisory Body on Administrative and Financial Matters (ABAF), as well as with a number of delegations with an interest in ABAF. Delrep also attended a meeting organized by the Algerian delegate with Technical Secretariat (TS) and European representatives to discuss the proposed counter-terrorism conference in Algeria. As facilitator for Article VII, the Algerian delegate also convened an informal consultation on February 9 with briefings by the TS on implementation activities.

[1](#)3. (SBU) Summaries of these discussions follow. The Industry Cluster and SAB experts meeting will

be reported in septels.

MEETING WITH MEXICAN AMBASSADOR

14. (C) On February 2, Delreps called on Mexican Ambassador Jorge Lomonaco and delegate Blanca Polo to discuss EC-55. Lomonaco confirmed that GRULAC had selected him to be its nominee to take over the EC Chairmanship in May and said that the decision would be formally announced during EC-55. The bulk of the ensuing discussion focused on the search for the next Director-General (DG). Delrep raised the PrepCom "gentlemen's agreement" -- to rotate the DG position between developed and developing countries -- and emphasized the need to attract the broadest range of qualified candidates. Lomonaco said that he has been having conversations on the topic with a number of people. He said the perception of many is that the "gentlemen's agreement" only covered the rotation from the PrepCom to the first DG of the OPCW, but not beyond that. Lomonaco was firm in advising against using the "gentlemen's agreement" as the basis for limiting where the next DG will come from. He said that GRULAC members -- like Algeria -- did not see it as relevant any more and shared the concern that the agreement unfairly was biased toward giving WEOG the DG position every other election. However, Lomonaco supported another "gentlemen's agreement" -- that the DG would not come from a possessor state. Delrep noted U.S. agreement on this point, but emphasized that the most important factor for nominations was finding highly qualified people with multilateral, managerial and substantive experience. Lomonaco agreed that diplomatic experience would be critical for the DG, especially nearing the 2012 deadlines.

15. (C) Lomonaco said that during his conversations he found that colleagues have two over-arching expectations: that Iran not be allowed to be the "king maker," and that the decision should be taken by consensus. He conceded that the two expectations could prove to be mutually exclusive. Focusing on consensus, he predicted that the next DG would be chosen in the corridors and not in the plenary hall, adding that lots of other issues would be tied to the decision, including the choice of Deputy DG (DDG). Lomonaco said that the EC should aim to propose one candidate to the CSP -- whether by consensus or resorting to voting; failure to do so would only mean punting the issue to be dealt with at a later stage with more countries deciding and higher stakes. He noted that pushing against deadlines would only strengthen Iran's hand and give them more chance of playing "king maker."

16. (C) Lomonaco reported that Algerian Ambassador Benchaa Dani is aiming to become the Non-aligned Movement's (NAM) candidate. As with the "gentlemen's agreement," Lomonaco was concerned that a North-South divide would have an extremely polarizing effect. The conventional wisdom within GRULAC is that there will not be any candidates from the group; Lomonaco expressly stated that Mexico will not have a candidate. Referring to rumors of a possible Indian candidate from its National Authority, he suggested that -- while not excluding the possibility -- someone from a National Authority might not be the best fit.

17. (C) Referring to the DG selection process as the "800-pound gorilla," Lomonaco said that everything this year will be affected by it, suggesting that

countries -- particularly those with aspirant candidates -- would be more amenable than usual toward Iran. He went on to say that 2009 is the perfect year for Iran to make trouble, with the "biggest hostage" of all the DG selection. Lomonaco also noted that consensus has become an end unto itself rather than just a means of decision-making and that Iran has exploited this distortion, which he termed as "unhealthy" in the long term.

¶8. (SBU) Lomonaco stated that the Iranian delegation has been making the rounds trying to gauge support for a special Conference. He stressed that Mexico's firm position is that a special CSP is unnecessary and that CSP-13 and all of its decisions were legally valid. In response to Delrep's question of Iran's continuing participation on the EC Bureau, Lomonaco said that he thought it natural for the Asian Group to rotate its representative and not allow Iran to always take the vice chairmanship.

¶9. (C) Turning to Iraq's accession, Lomonaco said that it will be interesting to hear Iraq's version of the Iran-Iraq War and Iraq's counter-response to Iran's claim of having been the victim from the war. Lomonaco said that Iraqi Ambassador Banaa had told him that Iraq will not declare possession of any chemical weapons, claiming that everything was destroyed by the U.S. and the UK.

¶10. (SBU) Delrep raised the issue of ABAF reform and solicited Lomonaco's comments. He suggested that a purely political fix to ABAF would never solve all of its problems and recommended looking to the International Criminal Court's (ICC) Committee on Budget and Finance (CBF) for a good model. In marked contrast to his impression of ABAF, Lomonaco described the CBF as very professional and well-respected, with its input and advice playing a large role in the ICC's budget process.

¶11. (SBU) In closing the meeting, Lomonaco shared that the Mexican Senate passed the draft CWC implementation bill in December. He said that the bill is now before the lower legislative house for approval during its next regular session (March-May).

WEOG

¶12. (SBU) On February 3, the Western European and Others Group (WEOG) convened for its weekly coordination meeting. German Ambassador Werner Burkart reported on his recent meeting with Iranian delegate Mohsen Naziri Asl to discuss the fall-out from the Conference of States Parties (CSP). Naziri Asl argued that Article IV of the Chemical Weapons Convention should not be compromised, that the organization should not be undermined, and that all delegations should look toward the future. He urged Burkart to help work toward consensus in the organization and prepare the ground for compromise. Naziri Asl stated that there needs to be a consensus CSP-13 document that all States Parties can refer to in future discussions, or else there could be no "linkage."

¶13. (SBU) Burkart said he made no promises to Iran and put the blame squarely on the Iranian delegation for the outcome of the CSP. He told Naziri Asl that no WEOG country saw value in reopening the CSP report and that all the

Conference decisions are valid. Burkart felt that Iran was looking for damage control. He also noted that Naziri Asl could stay for EC-55, despite his announcement to the Bureau that he would be departing earlier, as his departure plans from The Hague remained vague.

¶14. (SBU) WEOG Facilitator Ruth Surkau (Germany) drew attention to the third paragraph in the introduction to the CSP-13 Decision pamphlet, which she thought added ambiguity open to different interpretations on the future status of the Decisions reached.

¶15. (U) Discussion then moved onto preparations for EC-55 and the selection of the WEOG Vice-Chairman. Burkart stated that since the Dutch Ambassador had announced his candidacy for the position, he thought it only fair for Germany to step aside and turn the seat over to Ambassador Pieter de Savornin Lohman. WEOG members approved the nomination by acclamation. Lohman briefly thanked the group for its support.

¶16. (SBU) Regarding nominations for the Advisory Body on Administrative and Financial Matters (ABAF), U.S. Delreps presented ideas from ongoing discussions on revamping ABAF's membership. The UK delegate shared U.S. concerns about ABAF becoming too politicized but argued that ABAF itself should make recommendations on its membership. She emphasized the importance of real expertise and ABAF's independence as an advisory body. Surkau reminded the group of the "provisional" nature of the Decision which established ABAF, specifically the Decision which established ABAF, specifically allowing for future review. Australia, Switzerland and Ireland supported the idea of approving the new nominees for a limited time until a more permanent solution is found.

¶17. (SBU) On the selection of the next Director-General (DG), Surkau observed that the WEOG consensus supported the validity of the "gentleman's agreement" in selecting the next DG from the developed world. Lohman announced that Algerian Ambassador Benchaa Dani had presented himself as the candidate of the African Group. Q other concrete names have surfaced as possible candidates.

¶18. (SBU) Discussion then moved to the issue of credentials and the implications for voting rights. Surkau noted the TS paper listing delegations that currently have no accredited representatives, and said that South Africa might challenge the TS interpretation of what accreditation entails. The UK delegate argued that WEOG should insist on consistency in adhering to the Rules of Procedure. There was general agreement that formalities on accreditation had been ignored in the past, setting uncertain precedents.

ABAF

¶19. (SBU) As part of ongoing conversations within WEOG and bilaterally with delegations, Delreps continued to canvas ideas for dealing with the large number of new ABAF nominees while also using the opportunity to pursue needed reforms of the advisory body. On February 3, Delreps called on Costa Rican Ambassador Francisco Aguilar, EC Vice-Chair for Administrative and Financial Matters, to seek his support for engaging on the issue. Aguilar agreed in principle on the need for ABAF reform. He said that he would consider raising the

issue within the Bureau and also chairing an informal consultation during EC-55 to inform delegations about the issue and to allow them to share views.

¶20. (SBU) Aguilar noted that providing funding for travel and per diem of experts from outside The Hague might help to attract qualified experts rather than the current trend of appointing local delegates. Echoing similar comments made by the Mexican Ambassador, Aguilar spoke highly of the ICC's CBF and said that its structure might be a useful example for ABAF. Aguilar also suggested that countries could nominate their nationals who are expatriates working in the Netherlands and who have financial and budgetary expertise. He gave two examples of Costa Ricans in this situation, one of whom is the Director of Business Studies at Erasmus University and the other who oversees Starbuck's business development in Europe. Aguilar welcomed Delreps' offer to provide him with a non-paper on ABAF reform and possible solutions.

¶21. (SBU) Delreps met with South African delegate Marthinus van Schalkwyk February 2 to discuss ABAF, specifically the four local delegates nominated by the African Group at EC-54 (ref C). While being receptive to a number of the ideas for reform, van Schalkwyk told Delreps that African delegations felt excluded from ABAF and wanted a seat at the table. He also said that the four African candidates had not given their curricula vitae to the TS for circulation (as requested by the U.S. at EC-54) because they thought it was discriminatory, QEC-54) because they thought it was discriminatory, considering that previous nominees had not been required to do so. Delrep countered that previous nominees usually did provide the TS with their curricula vitae but that the TS had not circulated them, and that the U.S. request was made in order to make the process more transparent. Van Schalkwyk agreed that ABAF could benefit from reform but said that African delegations would insist on being part of any reform process.

¶22. (SBU) During the week, Delreps also consulted bilaterally with Germany, the Czech Republic, France, Japan and the UK. Additionally, Delrep met with Administration Director Ron Nelson in a follow-up to earlier conversations with him. Nelson stated that the OPCW could absorb funding for experts' travel and per diem within the regular budget without difficulty. He agreed that providing such funding would help move the ABAF away from being dominated by local delegates and likely attract more experts.

ALGERIA CONFERENCE ON THE PREVENTION OF CHEMICAL
TERRORISM

¶23. (SBU) On February 4, Delrep met with Algerian delegate Said Moussi, OPCW Director of Special Projects Krysstof Paturej, French delegate Annie Mari (in her role as facilitator of the Open Ended Working Group on Terrorism), and Czech delegate Jitka Brodska (representing the EU presidency) to discuss the proposed counter-terrorism conference in Algeria. Despite not having been asked to take the lead on this project, Paturej was eager to turn it into an OPCW event and suggested that the Algerian Ambassador and any other interested parties call on the Director General immediately to get his approval. He did acknowledge the political sensitivity of the OPCW headlining such an event, and also noted that a minimum of 180 days would be necessary from approval to execution.

¶24. (SBU) Mari asked what the specific objectives and scope of the conference would be. U.S. Delrep shared U.S. objectives of raising awareness of chemical terrorism and sharing best practices in chemical safety and security from industry, scientific, and law enforcement experts. Mari noted that such a conference should be international in scope and not limited to African participation, a view that has been stated in several past meetings by Algerian rep Moussi. EU rep Brodska did not express any immediate enthusiasm or support for the conference, but said that the only possibility for EU Joint Action funding would be in the second half of the year.

¶25. (C) In a private meeting later with Delrep, Moussi indicated Algeria's interest in moving ahead with development of invitation lists for participants and guest speakers. Delrep noted the U.S. view that having national experts who could put what they learned to good use would be optimal, adding that this was the reason Washington had originally suggested targeting an African audience. Moussi again expressed concern that this could be negatively perceived as a Western training session for Africa, and said that Algeria's interest was in a higher level political event. (Del Comment: We were surprised by Mari's public support for an international conference after a previous conversation, including UK and German delegates, in which Mari appeared to share others' concern that Qwhich Mari appeared to share others' concern that Algeria might turn this conference into a campaign event for Dani's DG candidacy. End comment.)

P-5 MEETING

¶26. (SBU) On February 6, Chinese Ambassador Zhang Jun hosted representatives of the Permanent Five (P-5) members of the UN Security Council at a meeting and working lunch to discuss universality and the search for the new Director-General. The meeting was attended by the French and Russian Ambassadors and Delreps from the U.S. and UK. Zhang opened by noting the importance of the recent accession to the CWC by Lebanon and Iraq for universality in the Middle East. He mentioned that Egypt did not look favorably upon the upcoming universality workshop in Turkey, and that the Director-General's efforts to establish contact with Myanmar and North Korea had been unsuccessful. Zhang also noted former Dutch Permanent Representative Marc Vogelaar's role as the DG's special representative for North Korea, but expressed China's concern that bringing chemical weapons into the Six Party Talks would throw off the delicate balance.

¶27. (C) French Ambassador Blarel said France had demarched Angola, and was told that Angola had a number of international agreements it was considering, among which the CWC was not the highest priority. Surprisingly, Blarel then raised Taiwan) the application of a Taiwanese industry association for observer status at the Conference of States Parties, and the importance of "geographical universality." Zhang stated unequivocally that this was not the appropriate forum for this discussion; that the OPCW is an organization of sovereign states; and that discussions must be conducted on the basis of Taiwan as an inalienable part of China.

¶28. (SBU) U.S. Delrep noted the participation of a U.S. representative at the most recent meeting of

stakeholders held in the Bahamas, and reported that Marc Vogelaar had meetings in Washington with a number of U.S. officials working on the North Korean talks. The UK delegation also reported some contact with the Bahamas, and suggested that the dwindling number of States not Party might apply additional pressure to those with no real political objections to the CWC.

¶29. (C) Russian Ambassador Gevorgian said that Iraq's accession was the "main event," but also reported that the DG and Vogelaar had been in touch with him about a visit to Moscow to discuss North Korea. In Russia's view, an immediate visit by Vogelaar on this subject is premature, but it might be appropriate for the DG to raise it during wider consultations when he visits Russia in March for the opening ceremony at Shchuchye.

¶30. (C) As expected, Iraq's recent accession raised a number of other questions. Russia in particular returned several times to the importance of knowing what was in the initial Iraqi declaration and noted how useful it would be if others could share any insight. Gevorgian sought others' views on the possible situation that would arise from Iraq acceding as a "possessor state." U.S. Delrep noted that while it would make sense for Iraq's past activities (and any possible remaining chemical weapons) to appear in the declaration, this will only be clear once Iraq has submitted its official declaration. Delrep also noted that the U.S. will be submitting a separate declaration for rounds Qbe submitting a separate declaration for rounds recovered and destroyed since 2003. China asked what provisions existed for destruction of remaining CW, which led to some discussion of the Council's role in establishing deadlines. Blarel asked whether allowing Iraq to go past 2012 would undermine this date for all possessor states; U.S. Delrep noted that there are provisions allowing the EC to establish a new date specifically for this reason.

¶31. (C) On the search for a new Director General, Zhang asked whether it would be possible for the EC to present more than one candidate to the CSP for selection; and what others knew about the "gentlemen's agreement" that the post would rotate between developed and developing countries. He also asked for views on having candidates from States Parties with CW stockpiles or Abandoned Chemical Weapons, and said that he has heard that Japan may have a candidate. Gevorgian said that, while there is no formal rule forbidding it, practice has been that possessor states do not hold such offices. He stated his preference for the EC to recommend one consensus candidate to the CSP, noting the danger of politicizing the issue (and the possibility that it will be linked to other substantive decisions) if a vote is necessary at the CSP.

¶32. (SBU) France noted that it is important to start the process immediately with current EC Chair Ambassador Tomova, and that Tomova seems to be interested in consultations with regional groups before proceeding. UK Rep pointed out that GRULAC's turn as the next EC Chair might be helpful in terms of all regional groups' perception of the Chair's objectivity in the process, as GRULAC would be highly unlikely to nominate a candidate. There was some discussion of Algerian Ambassador Dani's nomination; several delegations have heard that Dani was nominated by the Africa Group. The Russian delegation also raised the issue of appropriate report language at EC-55, now that this subject appears on the Council's agenda. U.S.

Delrep stated that the U.S. expects any candidate to have a strong multilateral, management, and technical background. She noted that while the U.S. would not support a rotation among the regional groups, Washington does believe that the "gentlemen's agreement" should be followed, along with the balance between the DG and the Deputy DG. All five delegations agreed that an early deadline for nominations and avoiding a vote would be important objectives.

¶33. (SBU) In honor of the ongoing Chinese New Year celebration, Zhang also hosted a working lunch that covered a number of additional topics. Zhang opened the discussion by sharing his view that the member states should draw important lessons from the conclusion of CSP-13, in particular the role of the Chair and of facilitators in moving issues actively forward when delegations reached an impasse. He recounted a conversation with Secretary of the Policy Making Organs Alexander Khodakov, the focus of which was the imbalance between the relatively small amount of time spent discussing the substance of agenda items and the inordinate amount of time that goes into report language. Zhang noted that the most important priority now should be reestablishing consensus. Blarel said that perhaps the Japanese CSP Chair could have taken a more active role in bridging the gap between delegations' positions, and added that States Parties should not waste time on Iran's recent proposal to call a special session of the Conference. The group agreed that the Chair's reply to Iran was satisfactory and the decisions of the Conference remain valid.

¶34. (C) Zhang noted that Iran has been dissatisfied with the lack of Non-Aligned Movement support for its actions; and that there is not a great deal of agreement among NAM members on a number of issues. He pointed out that while the NAM statement highlights areas of agreement, there are also topics the statement cannot cover because of a lack of unified positions. Zhang then shared China's view that International Cooperation is increasingly important, particularly as related to non-proliferation. He pointed to the growing chemical industry in the developing world, and the need for more technical guidance to ensure proper oversight. He added that the Council could expect more calls for increased cooperation in the future, particularly given the need for the Organization to shift focus after 2012. France noted that countering chemical terrorism was closely tied to this, as were chemical safety and security and improving the verification regime.

¶35. (SBU) Zhang then turned to China's dissatisfaction at the slow progress in destruction of Japanese Abandoned Chemical Weapons. He expressed China's concern that Japan intends to use any possessor state's inability to meet 2012 as an excuse for further delays in its own efforts, a fact that shapes China's position on destruction deadlines. U.S. Delrep noted that the Council will need to consider each case separately, and that delays in one State Party should by no means excuse delays in others. Gevorgian said that U.S. transparency about delays had actually made it far more difficult in Moscow to convince the Parliament to continue funding the program for completion by 2012.

¶36. (SBU) Russia then raised the Lithuanian initiative on sea dumped chemical weapons, and noted Russia's position that this discussion had no place at the OPCW, but fell into the Helsinki

framework. The Lithuanian Ambassador has apparently expressed interest in being the Chair of the next CSP. This is somewhat surprising given the established process of allowing the current EC Chair to take the position if interested, and Russia clearly does not support Lithuania's candidature. Russia will host the next P-5 meeting, and recommends late March or early April, which would fall before EC-56 but after Iraq's submission of its initial declaration.

ARTICLE VII

¶37. (U) On February 9, Article VII Facilitator Said Moussi (Algeria) convened a consultation which primarily consisted of the TS providing briefings implementation activities since the last TS report (September 15, 2008) and on planned implementation activities for 2009. Approximately 25 delegations attended, including Iran but not Iraq, and there was no mention of any technical assistance visits involving Iraq. Moussi reminded delegates that Article VII was not on the agenda for EC-55 and asked that delegations be prepared to enter into productive consultations following the EC on how to improve synergies among stake holders in implementation assistance activities.

¶38. (U) OPCW Legal Adviser Santiago Onate provided an overview of Article VII implementation activities since the last report, noting the importance of the Decision reached in CSP-13 and of Lebanon's accession. Eight countries (4 percent), including Lebanon, still lack a national authority. Additionally, 83 States Parties, one more (Azerbaijan) than in the TS's previous report, now had implementing legislation. Five countries (Albania, Indonesia, Mongolia, Sri Lanka, and Q(Albania, Indonesia, Mongolia, Sri Lanka, and Vietnam) had made their Article V submissions, while Afghanistan is waiting for its Parliament to approve its submission. Eleven new legal assistance activities had taken place since September 15, and 13 countries, including the Bahamas, requested comments from the TS on draft legislation.

¶39. (U) The new Head of the Implementation Support Branch, Mark Albion, then provided a PowerPoint presentation on the TS's planned activities in 2009 (copy of slides will be forwarded to INS). Albion wished to remind delegations that the TS is only mandated to act when specifically requested to do so by States Parties. He also shared details only on those programs in which money had already been allocated in the approved 2009 budget, with no mention of activities from the voluntary fund.

¶40. (SBU) Following the briefings, Moussi opened the floor to discussion. The Iranian delegate intervened to remind delegations that Iran had registered its concerns with the outcome of CSP-13, to include the Decision reached on Article VII. Onate, visibly annoyed at the comment, held up the published Decision booklet from CSP-13 and reminded Iran in turn of the legally binding nature of all Decisions reached. The Czech delegate, on behalf of the EU Presidency, announced that the EU would remain supportive of Article VII implementation activities and planned to share the results of EU demarches delivered under the French Presidency.

¶41. (SBU) On February 10, WEOG met in an expanded format with eastern European members of the EU, Japan and South Korea. The main topic of discussion was the DG selection process. Slovakian Ambassador Tomova, the EC Chair, stated that she has been holding discussions with quite a number of delegations, some of whom would like to establish the process as in other international organizations, others of whom want rotation of the position among regional groups. She noted the importance of finding the best qualified candidates, and said she would continue to be in close touch with member states. German Ambassador Burkart noted the Iranian comments on needing "informal informals" and stated his government's view that the process should be simple, straightforward, with a clearly established deadline. U.S. Delrep expressed the importance of a deadline for nominations early enough to allow the candidates to be invited to address the Council, ideally at its June session before a decision in October. She also noted the PrepCom agreement for rotation between the developed and developing states for the position.

¶42. (SBU) The French delegate noted the importance of candidates with experience in government, diplomacy and management. The UK delegate expressed concern about talk of an open ended working group on the issue. She noted that, while her government agreed with the principle of rotation established during the PrepCom, that it was not gaining much support among other regional groups and it might be better to emphasize highly qualified candidates, rather than their national origin. The Czech and Netherlands delegates agreed with those views. The Japanese delegate was not aware of the "gentlemen's agreement" but noted the difficulty of defining developing and developed countries. WEOG Facilitator Surkau reported that South Africa does not want an early deadline for nominations.
Qnominations.

¶43. (SBU) Discussion followed on strategy for the EC, with few suggestions other than active support for the Chair in dealing with potential Iranian obstruction. Japan briefed the group on the Japanese Ambassador's response, as CSP Chair, to the Iranian Note Verbale on the inconclusive outcome of the CSP. Delegations were uneasy after Iran's participation in the EC informal meeting and stating its opposition to the CSP results in the Article VII consultation the day before.

¶44. (U) BEIK SENDS.
GALLAGHER